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Attorneys for Defendants
UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE
YANG IN SUPPORT OF PLAINTIFF
WAYMO LLC'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL ITS
REPLY TO SPECIAL MASTER
COOPER REGARDING UBER'S
OBLIGATION TO PRODUCE
JACOBS LETTER AND RELATED
DOCUMENTS (DKT. 2425)**

1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this
3 declaration based upon matters within my own personal knowledge and if called as a witness,
4 I could and would competently testify to the matters set forth herein. I make this declaration in
5 support of Plaintiff Waymo LLC's Administrative Motion to File Under Seal Its Reply to Special
6 Master Cooper Regarding Uber's Obligation to Produce Jacobs Letter and Related Documents
7 (Dkt. 2425).

8 2. I have reviewed the following documents and confirmed that only the portions
9 identified below merit sealing:

Document	Portions to Be Filed Under Seal
Waymo's Reply	Red Boxes
Exhibit 17	Entire Document
Exhibit 19	Red Boxes
Exhibit 22	Entire Document
Exhibit 23	Red Boxes

17 3. The red boxes in Waymo's Reply Submission, as well as the entirety of Exhibit
18 17, contain highly confidential business information from internal notes to a Board of Directors
19 meeting, corresponding to information for which the Court granted sealing in Ex. 5 to Waymo's
20 Discovery Letter Brief (Dkt. 1168-6). Specifically, the Court granted sealing of highly
21 confidential business information regarding internal corporate governance and the Board of
22 Directors' methodologies for conducting Board responsibilities in Dkt. 1168-6. (Dkt. 2393, Order
23 at 6 (granting sealing of Dkt. 1168-6).) The red boxes contain information that likewise show the
24 internal discussions that relate to the internal corporate governance and methodologies in Dkt.
25 1168-6. Uber is a private company, and its Board of Directors keeps its internal discussions
26 highly confidential. Disclosure of these discussions from a confidential Board meeting,
27 particularly in light of extensive media coverage, would harm Uber's competitive standing.
28

4. The red boxes in Exhibit 19 contain current and former employee names relating to non-attributable devices. Uber requests this list be kept confidential in order to protect the privacy of individuals currently or formerly at a company that is subject of extensive media coverage, in order to protect them from harm or harassment. Uber's request is narrowly tailored to names that have not been made public with respect to this subject matter.

5. The entirety of Exhibit 22 contains highly confidential information regarding Uber's internal analysis of self-driving industry activity and developments, including specific quantitative metrics. This information has been maintained as confidential. Disclosure of this information could allow competitors to understand how Uber analyzes and evaluates the self-driving industry, such that Uber's competitive standing could be significantly harmed.

6. The red boxes in Exhibit 23 contain the email addresses of current and former company employees, whose electronic communications may become compromised if this information were disclosed to the public. Defendants seek to seal this information in order to protect the privacy of these individuals because this lawsuit is currently the subject of extensive media coverage. I understand that disclosure of this information could expose these individuals to harm or harassment.

7. Defendants' request to seal is narrowly tailored to the portions of Waymo's Reply and supporting exhibits that merit sealing.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 26th day of December, 2017 at Washington, District of Columbia.

/s/ *Michelle Yang*

Michelle Yang